

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

AKORN HOLDING COMPANY LLC, *et al.*,<sup>1</sup>

Debtors.

Chapter 7

Case No. 23-10253 (KBO)  
(Jointly Administered)

GEORGE L. MILLER, Chapter 7 Trustee of the  
bankruptcy estates of Akorn Holding Company  
LLC, *et al.*,

Adv. Proc. No. 25-50263 (KBO)

Plaintiff,

**Re: Adv. D.I. 1 & 3**

v.

WINPAK, LTD.,

Defendant.

**CERTIFICATION OF COUNSEL REGARDING ORDER  
PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE  
7012(a)(2) SETTING DEADLINE FOR DEFENDANT WINPAK, LTD.  
TO ANSWER OR OTHERWISE RESPOND TO THE COMPLAINT**

The undersigned counsel for George L. Miller, solely in his capacity as Chapter 7 Trustee of Akorn Holding Company LLC, Akorn Intermediate Company LLC, and Akorn Operating Company LLC, and as plaintiff in the above-captioned adversary proceeding (“Plaintiff”), and Winpak, Ltd. (“Defendant,” and together with Plaintiff, the “Parties”) hereby certifies as follows:

1. On February 13, 2025, Plaintiff filed commenced the above-captioned adversary proceeding against Defendant by filing a complaint [Adv. D.I. 1] (the “Complaint”).

<sup>1</sup> The Debtors in these chapter 7 cases, along with the last four digits of their federal tax identification numbers, are Akorn Holding Company LLC (9190); Akorn Intermediate Company LLC (6123); and Akorn Operating Company LLC (6184). The Debtors’ headquarters is located at 5605 CenterPoint Court, Gurnee, IL 60031.

2. On August 22, 2025, the summons and notice of dispute resolution alternatives was filed [Adv. D.I. 3] and subsequently served with the Complaint upon Defendant under the Hague Convention.

3. On November 5, 2025, Defendant, through its counsel, confirmed that it was served.

4. Rule 7012(a)(2) of the Federal Rules of Bankruptcy Procedure provides that the “court must set the time to serve an answer to a complaint . . . served on a party in a foreign country.” Fed. R. Bankr. P. 7012(a)(2).

5. The Parties have agreed, subject to Court approval, that Defendant shall have until January 9, 2026, to answer or otherwise respond to the Complaint, without prejudice to seek further extensions. Attached hereto as **Exhibit A** is a proposed form of order (the “**Proposed Order**”) reflecting the Parties’ agreement.

6. Accordingly, Plaintiff respectfully requests that the Court enter the Proposed Order at its earliest convenience.

Dated: November 13, 2025  
Wilmington, Delaware

**SAUL EWING LLP**

/s/ Evan T. Miller

Evan T. Miller (DE Bar No. 5364)  
Paige N. Topper (DE Bar No. 6470)  
1201 N. Market Street, Suite 2300  
Wilmington, DE 19801  
Telephone: (302) 421-6800  
evan.miller@saul.com  
paige.topper@saul.com

*Counsel for Plaintiff*